

AMENDMENTS TO THE DRAWINGS

The attached sheet(s) of drawings includes changes to Figures 6-12 and 16.

Attachment: Replacement sheets (8)

REMARKS

Claims 24 and 65-77 are pending. The Examiner rejected all claims in an Office Action dated September 18, 2005. The issues outstanding are:

- The Specification is objected to for a) not noting registered Trademarks; b) not having an up-to-date priority claim; c) Various typographical errors.
- The Abstract is objected to for having two paragraphs.
- Figures 6-12 and 16 are objected to as being too dark and thus difficult to understand.
- Various claims are rejected for nonstatutory double patenting over U.S. Patent No.'s 6,635,447; 6,100,054; and 5,571,691.
- Claims 24 and 65-77 are rejected as allegedly not having adequate written description to support the claims.

Applicant traverses the written description rejection.

I. The Specification

The Specification has been amended to update the priority data, use ® where appropriate and correct the SEQ ID designations and other typographical errors. No new matter has been added.

II. The Abstract

The Abstract has been amended to make it a single paragraph.

III. The Figures

Substitutes for Figures 6-12 and 16 are submitted with this response. These have been adjusted in contrast/brightness to make the figures clearer for printing.

IV. Non-Statutory Double Patenting

Applicant has terminally disclaimed any portion of the term of this patent in excess of the life of U.S. Patent No.'s 6,100,054 and 5,571,691. Priority is now claimed to U.S. Patent No. 6,635,447 as a parent to this divisional application. Thus these double patenting rejections have been obviated.

V. Written Description

Claims 24 and 65-77 are rejected as allegedly not having adequate written description to support the claims.

The Examiner's rejection is that the nucleic acid sequence for human lactoferrin is not disclosed. The Examiner's attention is directed to FIG. 1, 2 and 18 and SEQ ID NO:1 and 2. Applicant respectfully submits adequate written description exists and requests the rejection be withdrawn.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

A check for the fees for the accompanying Terminal Disclaimer and request for one month's extension is enclosed. Applicant believes no other fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2375, under Order No. HO-P02682US1 from which the undersigned is authorized to draw.

Dated: February 7, 2006

Respectfully submitted,

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Docket No.: HO-P02682US1



ATTACHMENTS